

## **REMARKS**

Reconsideration of this application is respectfully requested.

With regard to the objections to the specification applicant has replaced the objectionable text with clearer text as suggested by the examiner.

In connection with the arrangement of the specification applicant has provided section headings in the text of the specification as suggested by the examiner and has identified those section headings which are not applicable.

With regard to the objection to the drawings applicant attaches a Replacement Drawing which eliminates shading from Fig. 3d.

The examiner also objected to the drawings on the basis that they do not show features specified in the claims. Applicant would like to point out that the term “angled hook” refers to the parts labeled 803, 804 and 903, 904 at Figs. 9 and 10 respectively. The term “recess” is represented by female parts 805, 806 and 905, 906 in Figs. 8 and 9 respectively. The term “opposing rail” is represented by reference numbers 801 and 802 in Fig. 8 and by the reference numbers 901 and 902 in Fig. 9. The term “engaging members” is represented by the reference numbers 807, 808, 811 and 812 in Fig. 8 and by the reference numbers 907, 908, 909 and 910 in Fig. 9.

With regard to informalities in the claim language pointed out by the examiner applicant submits that the amendments to the claims correct such informalities.

With regard the examiner’s rejection of the claims for indefiniteness under 35 USC §112 applicant submits that the claims have been amended to eliminate indefinite phrasing. It is believed that the text of the claims as presented herein fulfills the requirements of 35 USC §112. Withdrawal of the rejection under 35 USC §112 is thus respectfully requested.

With regard to the claim rejections based on prior art it is noted that the examiner has relied on U.S. patent 1,182,610 to Wiesman to reject claims 1, 2, 6, 9 and 12-14 under 35 USC §102(b). The examiner indicated that claims 3-5, 7-8 and 10-11 have allowable subject matter and would be allowed if rewritten to include all limitations of the base claim and any intervening claims, and clarified to overcome the rejection under 35 USC §112.

Applicant would like to defer rewriting dependent claims 3-5, 7-8 and 11 in independent form pending reconsideration of this application.

Wiesman shows a furniture fastening device that includes a first wedge-shaped upper coupling member 3 secured to a first furniture component 2 and a second wedge-shaped lower coupling member 4 secured to a second furniture component 1.

A lower end of the upper coupling member 3 is joined to an upper end of the lower coupling member 4 by the lug 9 and hook 10 of Fig. III, the lug 11 and the lug 13 of Fig. VI, the slot 15 and tongue 16 of Fig. VIII, and the slot 17 and tongue or lug 18 of Fig. XI.

Thus in all embodiments of Wiesman there is no telescoping of the coupling member 3 into the coupling member 4 in a wedge-like securing arrangement.

Furthermore the coupling members 3 and 4 can be separated by horizontal movement of one of the furniture components (1, 2) with respect the other furniture component (1, 2) to disengage the lug 9 and hook 10 or the lugs 11 and 13 or the tongues 16 from the groove or recess 15 or the tongue 18 from the recess or groove 17.

However, the coupling members 3, 4 can only be firmly locked together by using a third component, namely a locking key or wedge 6 (Figs. V and XIV). The wedge 6 forms a connecting bridge that spans both of the coupling members 3 and 4 for locking relationship with the coupling

members 3 and 4 as described at page 2, lines 8-18 and as shown in Figs. I, VII, X and XIII.

As pointed out by Wiesman at page 2, lines 84-98 a hammer is used to drive the wedge 6 into a locking and wedging relationship with both the upper coupling member 3 and the lower coupling member 4 as shown in Figs. I, VII, X and XIII. A hammer is also needed to release the wedge 6 from locking engagement with the coupling members 3 and 4 by driving the wedge 6 out of the locking relationship with the coupling members 3 and 4 that is shown in Figs I, VII, X and XIII.

Thus Wiesman shows a furniture fastening arrangement that requires a locking wedge 6 to firmly and inseparably (except by hammer release) join the upper and lower coupling members 3 and 4. Such locking securement is accomplished by a full and maximum wedging engagement between the flanges 7 of the wedge 6 (Fig. V) or the flanges 7' of the wedge 6 (Fig. XIV) with the corresponding flanges 5 and 5' of the upper and lower couplings 3 and 4.

It should also be noted that before the locking wedge 6 is employed to engage the coupling members 3 and 4 and after the locking wedge 6 engages the coupling members 3 and 4 the flanges 7 and 5 and the flanges 7' and 5' of the coupling members 3 and 4 are never wedgingly engaged but are slightly spaced from each other or in slight end to end abutment.

In the Wiesman fastening system the locking wedge 6 is thus hammered into a full and maximum wedging engagement of the unwedged coupling members 3 and 4 to bridge onto and wedgingly lock such unwedged coupling members 3 and 4 together.

Applicant's male and female components wedgingly engage but are not movable into one another to the maximum. Applicant's male and female components engage a predetermined amount less than the maximum. Such engagement stops when abutment portions on each member reach a point of abutment. Thus claim 1 requires,

“...said male component and said female component are engaged a predetermined amount, said edge-to-edge abutment being made to prevent the male component from penetrating wedgingly to the maximum into the female component, thereby avoiding mutual deformation of the male and female components or material strain thereof on penetration.”

In applicant's claimed connecting device there is no deformation or strain imposed on the engaging male and female components and they can be easily separated.

It is thus submitted that claim 1 is patentably distinguishable over Wiesman, and any of the other references of record whether considered individually or in combination with Wiesman. Allowance of claim 1 is thus respectfully requested.

Claims 2-8 and 12-13 which directly or indirectly depend on claim 1 are likewise submitted as allowable for the reasons supporting allowance of claim 1 as well as the distinctions defined therein.

Independent claim 10 was indicated to be allowable if amended to overcome the rejection under 35 USC §112. Claim 10 has been amended to overcome such rejection. It is thus submitted that claim 10 is allowable, and allowance thereof is respectfully requested.

Claims 11 and 14, which directly or indirectly depend on claim 10, are likewise submitted as allowable for the reasons supporting allowance of claim 10. Allowance of claims 11 and 14 is thus respectfully requested.

In view of the foregoing remarks and amendments it is submitted that this application is allowable condition and allowance thereof is respectfully requested.

Dated: April 21, 2008

RODMAN & RODMAN  
10 Stewart Place – Suite 2CE  
White Plains, New York 10603

Telephone: (914) 949-7210

Facsimile: (914) 993-0668

1084-40a-Amendment

Respectfully submitted,  
/Philip Rodman/  
Philip Rodman, Reg. No. 25,704  
Attorney for Applicant